

DOCKET NO.: 249617US2S DIV



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

GROUP: 2616

Hideo ANDO, et al.

SERIAL NO: 10/803,041

EXAMINER: CHEVALIER, ROBERT

FILED: March 18, 2004

FOR: INFORMATION RECORDING MEDIUM, INFORMATION RECORDING METHOD AND APPARATUS, AND INFORMATION PLAYBACK METHOD AND APPARATUS

**APPLICATION OF PREVIOUSLY PAID ISSUE FEE IN  
ACCORDANCE WITH SECTION 1308.01 MPEP**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application was withdrawn from Issue after payment of the Issue Fee in the amount of \$1700.00 (Issue Fee \$1400.00 + Pub. Fee \$300.00).

The application has now been allowed again and since a refund of the previously paid Issue Fee has not been requested, it is now requested that the previously paid Issue Fee be applied to the Issue Fee being paid herewith. Enclosed herewith is a copy of the Petition Granted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

James J. Kulbaski

Registration No. 34,648

Joseph Scafetta, Jr.  
Registration No. 26,803

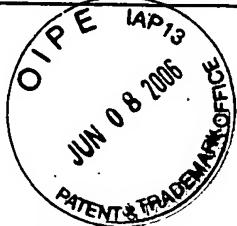
Customer Number

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Tel. (703) 413-3000  
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(OSMMN 03/06)



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

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ALEXANDRIA VA 22314

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FEB 13 2006

OFFICE OF PETITIONS

In re Application of :  
Hideo Ando et al :  
Application No. 10/803,041 :  
Filed: March 18, 2004 :  
Attorney Docket No. 249617US2SDIV :

ON PETITION

This is a decision on the petition, filed February 10, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on January 17, 2006, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

The examiner of Technology Center AU 2616 will consider the request for continued examination under 37 CFR 1.114.

*Karen Creasy*

Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

**COPY**  
RECEIVED: *2/14/06*  
OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.  
DOCKETING DEPT.  
Initials/Date Docketed: *DC/2/14/06*  
Type of Resp(s): \_\_\_\_\_  
Due Date(s): \_\_\_\_\_

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

~~OSMM&N File No. 249617US2S DIV~~

~~Serial No. 10/803,041~~

Dept.: E/M

By: JJK/EWT/fm

In the matter of the Application of: Hideo ANDO, et al.

For: INFORMATION RECORDING MEDIUM, INFORMATION RECORDING  
METHOD AND APPARATUS, AND INFORMATION PLAYBACK METHOD  
AND APPARATUS

**Due Date: N/A**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Cover Sheet
- Amendment under 37 C.F.R. § 1.312



**COPY**

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*KOK*

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Docket No. 249617US2S DIV  
 IN RE APPLICATION OF: Hideo ANDO, et al.  
 SERIAL NO: 10/803,041  
 RCE FILED: February 10, 2006  
 FOR: INFORMATION RECORDING MEDIUM, INFORMATION RECORDING METHOD AND APPARATUS,  
 AND INFORMATION PLAYBACK METHOD AND APPARATUS



COMMISSIONER FOR PATENTS  
 ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an Amendment under 37 C.F.R. § 1.312 in the above-identified application.

- No additional fee is required
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- Additional documents filed herewith:

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	4	MINUS	20	0	x \$50 =	\$0.00
INDEPENDENT	4	MINUS	4	0	x \$200 =	\$0.00
APPLICATION SIZE		MINUS	100	(each addtl. 50 sheets)	x \$250 =	\$0.00
			<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS	+ \$360 =		\$0.00
						\$0.00
			<input type="checkbox"/> Reduction by 50% for filing by Small Entity			\$0.00
						TOTAL \$0.00

- A check in the amount of \$0.00 is attached.
- Credit card payment form is attached to cover the fees in the amount of \$0.00
- Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Linked to OPTMS	
6-1-06	
DATE	CASE ID

OBLON, SPIVAK, McCLELLAND,  
 MAIER & NEUSTADT, P.C.

**COPY**

James J. Kulbaski  
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Customer Number

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 I:\ATTY\ET\249617US\249617US-AMECOV 312.DOC

Edward Tracy  
 Registration No. 47,998

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